

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ALEXANDRA POPOVCHAK, OSCAR  
GONZALEZ, and MELANIE WEBB, individually  
and on behalf of all others similarly situated,

Plaintiffs,

-against-

Case No. 1:22-cv-10756-VEC

UNITEDHEALTH GROUP INCORPORATED,  
UNITED HEALTHCARE INSURANCE  
COMPANY, UNITED HEALTHCARE  
SERVICES, INC., and UNITED HEALTHCARE  
SERVICE LLC

Defendants.

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**NOTICE OF DEFENDANTS’  
MOTION TO DISMISS PLAINTIFFS’ FIRST AMENDED COMPLAINT**

**PLEASE TAKE NOTICE** that upon the accompanying Memorandum of Law in Support of Defendants’ Motion to Dismiss the Complaint (the “Memorandum of Law”), dated May 15, 2023; the Declaration of Jane Stalinski, dated May 15, 2023, and supporting exhibits; and the Declaration of James L. Hallowell, dated May 15, 2023, and supporting exhibit, Defendants UnitedHealth Group Inc., UnitedHealthcare Insurance Company, UnitedHealthcare Services, Inc., and United Healthcare Service LLC, by and through their attorneys, Gibson, Dunn & Crutcher LLP, will move before the Honorable Valerie E. Caproni, United States District Judge of the United States District Court, Southern District of New York, at 40 Foley Square, Room 443, New York, New York 10007, on a date and at a time designated by the Court, for an order pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, dismissing the Plaintiffs’ First

Amended Complaint, filed April 17, 2023 (Dkt. No. 35), with prejudice. The grounds upon which Defendants seek relief are set forth in detail in the accompanying Memorandum of Law.

PLEASE TAKE FURTHER NOTICE that, in accordance with the Court's April 14, 2023 order (Dkt. No. 34), Plaintiffs must respond to this motion to dismiss not later than Wednesday, June 14, 2023, and Defendants must reply not later than Wednesday, June 28, 2023.

Dated: May 15, 2023  
New York, NY

By: /s/ James L. Hollowell

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